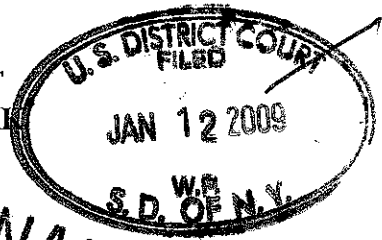


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



ORIGINAL

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

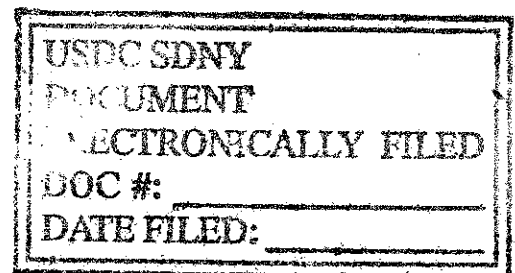
Defendant.

Civil Action No. 41-1395 (WCC)

In the matter of the Application of
AMERICA ONLINE, INC.,

Applicant,

for the Determination of Reasonable License Fees.



STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Fed. R. Civ. Proc. 41(a)(1).

IT IS SO STIPULATED.

Dated: January 6, 2009

Dated: January 6, 2009

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1/12/09

✓ SO ORDERED this 12th day of January 2009.

William C. Conner

Sr. U.S.D.J.